

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4057 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE H.R.SHELAT

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1. Whether Reporters of Local Papers may be allowed to see the judgements? No.
2. To be referred to the Reporter or not? No.

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3. Whether Their Lordships wish to see the fair copy of the judgement? No.
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? No.
5. Whether it is to be circulated to the Civil Judge?

No.

MODI MAFATLAL MOHANLAL

Versus

DY FOOD & CIVIL SUPPLY & CONTROL

Appearance:

MR BK OZA for Petitioner
MS KN VALIKARIMWALA, A.G.P. for Respondent
no. 1 and 2.

CORAM : MR.JUSTICE H.R.SHELAT

Date of decision: 05/06/98

ORAL JUDGEMENT

Rule. Service of rule is waived by Ms K.N. Valikarimwala, A.G.P. on behalf of the respondents no. 1 and 2.

2. The petitioner challenges the order passed by the

respondent no. 1 whereby the goods are seized and his deposit of Rs. 4,000/- is confiscated. Against that order he has preferred Revision Application before the respondent no. 2 wherein also he has filed an application for interim stay. The respondent no. 2 without assigning any reason and affording any opportunity to submit, rejected the application for stay. Thereafter, the revision application was not taken on hand for hearing. The petitioner is, therefore, constrained to prefer this application for appropriate directions.

3. Having heard the learned advocates for the parties and perusing case alleged in the petition as well as the materials on record, in the facts and circumstances of the case, what is found from the prayer that if direction to the respondent no. 2 is given to hear the revision application and dispose of the same would meet the ends of justice, and nothing further would then be required to be done or adjudicated in this application.

4. In view of the matter, the respondent no. 2 is hereby directed to hear and dispose of Revision Application No. RAJ/1098/1350/D, after affording reasonable opportunity to the petitioner to submit, latest by 15th June, 1998.

5. Rule is made absolute to the aforesaid extent, with no order as to costs.

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